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14  
15 IN THE UNITED STATES DISTRICT COURT  
16 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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19 **HINDU AMERICAN FOUNDATION, INC.,  
a Florida Not-For-Profit Corporation;  
SAMIR KALRA; MIHIR MEGHANI;  
SANDEETHA SHANKAR; DILIP AMIN,  
SUNDAR IYER, RAMANA KOMPELLA  
as individuals; and DOE PLAINTIFFS ONE  
TO THREE,**

Case No. 2:22-CV-01656-DAD-JDP

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28 **STIPULATION AND REQUEST TO  
AMEND BRIEFING SCHEDULE FOR  
DEFENDANT'S MOTION TO DISMISS  
FIRST AMENDED COMPLAINT AND  
PLAINTIFFS' MOTION TO PROCEED  
UNDER PSEUDONYMS**

Hearing Date: August 20, 2024  
Time: 1:30 p.m.  
Comp. filed: September 20, 2022

First Am. Comp. filed: September 21, 2023  
Judge: Hon. Dale A. Drozd

v.  
KEVIN KISH, an individual, in his official  
capacity as Director of the California Civil  
Rights Department; and Does 1-50,  
inclusive,

Defendants.

1 Plaintiffs Hindu American Foundation, Inc. (HAF), Samir Kalra, Mihir Meghani,  
2 Sangeetha Shankar, Dilip Amin, Sundar Iyer, Ramana Kompella, and Doe Plaintiffs One to Three  
3 (collectively “Plaintiffs”) and Defendant Kevin Kish, in his official capacity as the Director of the  
4 California Civil Rights Department (CRD) (together, the “Parties”), through their undersigned  
5 counsel and pursuant to Federal Rule of Civil Procedure 6 and Local Rule 144, hereby stipulate to  
6 and jointly request an order amending the briefing schedule for Defendant’s pending Motion to  
7 Dismiss Plaintiff’s First Amended Complaint pursuant to the *Younger* abstention doctrine and  
8 Federal Rule of Civil Procedure Rule 12(b) and Plaintiffs’ Motion to Proceed Under Pseudonyms.

9 In support of this Stipulation and Request to Amend Briefing Schedule for Defendant’s  
10 Motion to Dismiss First Amended Complaint and Plaintiffs’ Motion to Proceed Under  
11 Pseudonyms, the Parties jointly state as follows:

- 12 1. Plaintiff’s Complaint was filed on September 20, 2022 (ECF No. 1), and served on  
13 Director Kish on November 17, 2022 (ECF No. 4).
- 14 2. On February 6, 2023, Defendant filed his timely Motion to Dismiss Plaintiff’s  
15 Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) and  
16 supporting documents (ECF Nos. 8, 10). After considering the Parties’ briefing,  
17 the Court issued an order on August 31, 2023, that granted Director Kish’s Motion  
18 to Dismiss and provided leave for HAF to file an amended complaint within 21  
19 days of entry of the order. (ECF No. 20).
- 20 3. On September 21, 2023, Plaintiff HAF filed its timely First Amended Complaint.  
21 (ECF No. 21). Plaintiffs’ First Amended Complaint includes two new claims and  
22 nine new plaintiffs, including three “Doe” Plaintiffs who seek to proceed under  
23 pseudonyms and whose identities have not been disclosed to Defendant Kish or his  
24 counsel. (ECF No. 21; *see* ECF No. 24).
- 25 4. On October 6, 2023, Plaintiffs filed their Motion to Proceed Under Pseudonyms  
26 for the three unnamed Doe Plaintiffs. (ECF No. 24).
- 27 5. Based on good cause shown, Defendant sought and was granted four stipulated  
28 and unopposed extensions of time to respond to Plaintiffs’ First Amended

Complaint and Motion to Proceed to Under Pseudonyms, for a total extension of 75, 61, 90, and 60 days, respectively. (ECF Nos. 22-23, 25-32).

6. On May 20, 2024, Defendant filed his Motion to Dismiss Plaintiffs' First Amended Complaint and Opposition to Plaintiffs' Motion to Proceed Under Pseudonyms. (ECF Nos. 41-42 and 40, respectively).

7. The hearing on Defendant's Motion to Dismiss First Amended Complaint is currently set for August 20, 2024.

8. Plaintiffs' Opposition to Defendant's Motion to Dismiss their First Amended Complaint is currently due June 3, 2024. And their Reply in support of their Motion to Proceed Under Pseudonyms is currently due May 30, 2024.

9. In light of the number and complexity of the issues presented in this matter, the Parties require additional time to file their respective opposition and reply briefs pertaining to Defendant's Motion to Dismiss First Amended Complaint and Plaintiffs' Motion to Proceed Under Pseudonyms. The Parties have not previously sought or obtained any extensions of time to file these briefs.

10. The Parties have conferred and hereby agree and request that the Court extend Plaintiffs' time to oppose to Defendant's Motion to Dismiss First Amended Complaint by 30 days, and Defendant's time to reply to Plaintiffs' opposition by 22 days. Plaintiffs will file their opposition on or before July 3, 2024. Defendant will file his reply on or before August 6, 2024.

11. The Parties similarly request that Plaintiffs' time to reply to Defendant's Opposition to Plaintiffs' Motion to Proceed Under Pseudonyms be extended by 34 days. Plaintiffs will file their reply on or before July 3, 2024.

Based on the foregoing, the Parties respectfully request that this Court enter an order as follows:

(i) Amending the briefing schedule for Defendant's Motion to Dismiss First Amended Complaint (ECF No. 41), and for Plaintiffs' Motion to Proceed Under Pseudonyms (ECF No. 24) as follows:

- 1 a. Plaintiffs shall file their Opposition to Defendant's Motion to Dismiss First  
2 Amended Complaint on or before July 3, 2024;
- 3 b. Plaintiffs shall file their Reply in support of their Motion to Proceed Under  
4 Pseudonyms on or before July 3, 2024.
- 5 c. Defendant shall file his Reply in support of his Motion to Dismiss First  
6 Amended Complaint on or before August 6, 2024.

7 (ii) The hearing shall remain set for August 20, 2024.

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9 Dated: May 24, 2024

Respectfully submitted,

10 ROB BONTA  
11 Attorney General of California  
12 WILLIAM H. DOWNER  
13 Supervising Deputy Attorney General

14 /s/ Carly J. Munson (as auth. on 5/23/2024)  
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16 Deputy Attorney General  
17 *Attorneys for Kevin Kish, in his official capacity*  
18 *as Director of the Civil Rights Department*

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20 NARAYAN TRAVELSTEAD, P.C.

21 /s/ Timothy C. Travelstead  
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